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5 Counsel for Defendant SCOTT

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7  
8 IN THE UNITED STATES DISTRICT COURT  
9  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA, )  
12 ) No. CR 07-0700 WDB  
Plaintiff, )  
13 ) STIPULATION AND ORDER  
v. ) CONTINUING STATUS DATE AND  
14 ) EXCLUSION OF TIME  
15 )  
16 JOE L. SCOTT, )  
Defendant. )  
17 \_\_\_\_\_)

18 IT IS HEREBY STIPULATED, by and between the parties to this action, that the status date in  
19 this case, currently set for Friday, December 14, 2007, at 10:00 a.m. before Magistrate Wayne D.  
20 Brazil may be continued to Tuesday, January 8, 2008, at 10:00 a.m. for status or change of plea. A  
21 continuance to January 8, 2008, at 10:00 a.m. will allow defense counsel additional time to review  
22 the discovery with Mr. Scott and complete any additional investigation prior to the next court  
23 hearing.  
24

25 In addition, defense counsel will be unavailable during the end of December. The parties  
26 therefore stipulate that the time from December 14, 2007, to January 8, 2008, should be excluded in

1 accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) for  
2 continuity of counsel and for adequate preparation of counsel.

3 DATED: 12/12/07

\_\_\_\_\_  
/S/  
JOYCE LEAVITT  
Assistant Federal Public Defender

5 DATED: 12/12/07

\_\_\_\_\_  
/S/  
MAUREEN BESSETTE  
Assistant United States Attorney

7  
8 I hereby attest that I have on file all holograph signatures for any signatures indicated by  
9 a "conformed" signature (/S/) within this e-filed document.

10 **ORDER**

11 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status date in this case,  
12 currently scheduled for Friday, December 14, 2007, at 10:00 a.m. shall be continued to Tuesday,  
13 January 8, 2008, at 10:00 a.m. for status or change of plea.

14  
15 IT IS FURTHER ORDERED that the time from December 14, 2007, to January 8, 2008,  
16 should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§  
17 3161(h)(8)(A) and (B)(iv) for adequate preparation of counsel and continuity of counsel. The Court  
18 finds that the ends of justice served by the granting of the continuance outweigh the best interests of  
19 the public and the defendant in a speedy and public trial and the failure to grant the requested  
20 continuance would unreasonably deny the defendant's counsel the reasonable time necessary for  
21 effective preparation, taking into account due diligence.

22  
23 SO ORDERED.

24 DATED: December 13, 2007

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\_\_\_\_\_  
HON. WAYNE D. BRAZIL  
United States Magistrate Judge